

DHMH 2012 Maryland J-1 Visa Waiver Procedures

The Department of Health and Mental Hygiene (DHMH) is requesting informal comments from the public on proposed changes to the procedures by which it recommends candidates to the US Department of State for J-1 Visa Waivers. Maryland is limited to 30 physician recommendations each year.

The Department is proposing to look at the following questions:

1. Should Maryland require completed applications from applicants rather than holding a slot for a potential applicant to have additional time to complete the application?
2. Should Maryland have an initial round of acceptances for applicants who intend to practice in primary care specialties and in areas of the state that demonstrate the greatest need for these physicians before recommending sub specialists and physicians who will practice in areas of lesser need?
3. What other changes to the J-1 Visa Waiver process will contribute to the goal of improving access to primary care in underserved areas of the State?

The Goal

There is a shortage of primary care physicians, including family practice, internal medicine, pediatrics, psychiatry, and obstetrics and gynecology, in many areas of Maryland. **It is the goal of the State to maximize the number J-1 Visa Waiver providers who deliver primary care and work in primary care settings in underserved and rural areas.** See Maryland Maps at <http://fha.dhmdh.maryland.gov/ohpp/SitePages/publications.aspx> for designated health professional shortage areas and medically underserved areas.

The J-1 Visa Waiver program is one way that Maryland can bring additional physicians to the state. The national Conrad 30 J-1 Visa Waiver Program (<https://j1visawaiverrecommendation.state.gov/>) allows Maryland to recommend to the US Department of State up to 30 physicians for J-1 Visa Waivers annually. Maryland plans to change its procedures so as to better align the placement of J-1 Visa Waiver candidates recommended to the US Department of State with Maryland's goal to improve access to primary care.

Proposal

Background:

Maryland is assigned 30 J-1 Visa Waiver slots for foreign national physicians each year in the J-1 Visa Waiver program, also known as Conrad 30 (<http://www.j1waiver.com/conrad.html>).

Maryland receives and reviews applications and makes recommendation to the U.S.

Department of State for the selected applicants. Applicants must either:

- 1) be employed in a federally designated shortage area (Health Professional Shortage Area [HPSA], Medically Underserved Area [MUA], or Medically Underserved Population [MUP])) of any score; or
- 2) receive a Flex Waiver from the Maryland Department of Health and Mental Hygiene's Office of Primary Care Access based on need for the physician in a non-designated area. Up to 10 "flex waiver" slots for non-designated areas are available each year in Maryland out of the total 30 waiver slots.

Proposed J-1 Visa Waiver (Conrad 30) Procedures for Maryland:

- Maryland will advertise the J-1 Visa Waiver program more widely to increase competition of the 30 slots.
- The PCO will no longer "hold" any of the 30 annual J-1 Visa Waiver slots for an interested applicant who has not submitted a completed application.
- The physician or physician's representative must submit a completed application to the DHMH Primary Care Office (PCO) to apply for a Maryland J-1 Visa waiver.
- **First round of acceptances:**
 - Applications from all physicians will be accepted October 1, 2012 – November 1, 2012 for the first round of acceptances. Only complete applications will be accepted.
 - The PCO will review applications for completeness as they are received, will log in completed applications by the date of PCO receipt, and will notify applicants with incomplete applications of the status of their application.
 - For the first round of acceptances, the PCO will review the applications based on the review criteria below and notify selected **primary care physician applicants** by December 1, 2012 that they have received one of the state's 30 slots.
- **Second "rolling" acceptances:**
 - Only complete applications will be accepted.
 - All applications from non-primary care physicians received from October 1, 2012 to August 15, 2013 and from primary care physicians from November 1, 2012 until August 15, 2013 will be reviewed and accepted on a rolling basis beginning December 1, 2012. Priority will be given based on Review Criteria below when there are multiple applications being considered.

Application Review Criteria for Maryland J-1 Visa Waiver applicants

Applications will be ranked and accepted based technical *and* administrative evaluation of the applicants based on these criteria:

1. Technical components

- Professionalism conduct and performance based on references.
- Specialty and need for the specialty in Maryland (primary care physicians [family medicine, pediatrics, internal medicine, OB/GYN, and general psychiatry] receive first priority)
- Type of service provided by the facility; inpatient or outpatient/ambulatory.
- Type of facility.
- Geographic area of Maryland and need for the physician specialty in the area
- Overall health status quartile ranking of the jurisdiction(s) of proposed practice
- HPSA type: geographic, special population, facility
- HPSA score

2. Administrative component

Evaluation by DHMH staff of the relative needs of the jurisdiction, specialty, and population being served.

Impact of the Proposed Changes

- An applicant or applicant's representative will send a complete application to the PCO Maryland before s/he is considered. The PCO will no longer "hold" a J-1 Visa Waiver slot for an interested applicant who has not submitted a completed application.
- Applications will be competitively reviewed. DHMH's PCO will assess the completed applications and recommend applicants that best fit with Maryland's goal of increasing access to primary care in underserved areas.

Next Steps

DHMH is proposing the following changes and timeline to move toward the goal:

- October 2012: DHMH posted the updated DHMH 2012 Maryland J-1 Visa Waiver Procedures on the DHMH website for public comment.
- November 2012: DHMH will post the final Maryland J-1 Visa Waiver Procedures.
- November 2012: DHMH will follow the new timeline and select its first round of J-1 Visa Waiver applicants to recommend to the US Department of State.

Public Comment:

DHMH is requesting additional public comment on these proposed changes to its J-1 Visa Waiver Procedures. We invite you to read the proposed changes and submit your comments through the survey link below.

All comments should be submitted by 5 p.m. EST October 26, 2012.

Comments may be submitted by mail to Diane Dwyer, MD, Acting Director, Health Systems and Infrastructure Administration, Department of Health and Mental Hygiene, 201 W. Preston St., Room 406, Baltimore, MD 21201, or call 410-767-5088, TTY: 800-735-2258, e-mail to dhmh.opca@maryland.gov, or fax to Dr. Diane Dwyer at 410-333-5201.